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FILED

Attorneys for Plaintiffs ROGELIO SERRATO,  
 JULIAN SERRATO AND ISRAEL SERRATO

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

ROGELIO SERRATO, DECEASED, THROUGH  
 HIS SUCCESSORS IN INTEREST, JULIAN  
 SERRATO and ISRAEL SERRATO, minors, by  
 and through their grandmother and Next Friend,  
 LISA MAGDALENO; and JULIAN SERRATO  
 AND ISRAEL SERRATO, by and through their  
 Next Friend, LISA MAGDALENO, individually.

Plaintiffs,

vs.

MONTEREY COUNTY, a public entity, SHERIFF  
 SCOTT MILLER, individually and in his official  
 capacity; CAPTAIN CHARLES MONARQUE,  
 individually and in his official capacity;  
 COMMANDER KEVIN OAKLEY, individually;  
 SERGEANT GARRETT SANDERS, individually;  
 SERGEANT JOSEPH BANUELOS, individually;  
 SERGEANT RANDY RAGSAC, individually;  
 DETECTIVE AL MARTINEZ, individually;  
 DEPUTY MARK SIEVERS, individually, and  
 DOES 1-10, individually, jointly and severally.

Defendants.

*Related with:*

RITA SERRATO, et al.,

vs.

MONTEREY COUNTY, et al.

(No. C-11-4106 RMW)

No: C11-03642 RMW (PSGx)

Hon. Ronald M. Whyte

**STIPULATION AND  
 () ORDER  
 SETTING BRIEFING AND  
 HEARING SCHEDULE FOR  
 PLAINTIFFS' MOTION FOR  
 PARTIAL SUMMARY  
 JUDGMENT**

1 All parties, by and through their attorneys, hereby stipulate to and request that the Court  
 2 continue the hearing on Plaintiffs' Motion for Partial Summary Judgment for one week, from  
 3 February 15, 2013 to February 22, 2013, due to the fact that Michael Haddad and Julia Sherwin,  
 4 lead counsel for Rogelio Serrato, Deceased, Julian Serrato, and Israel Serrato, will be out of state on  
 5 the date currently set for hearing.

6  
 7 Further, at Defendants' request, all parties hereby stipulate to extend the briefing deadlines  
 8 on Plaintiffs' Motion for Partial Summary Judgment by one week, consistent with the requested  
 9 February 22 hearing date, so that Defendants' response in opposition to Plaintiffs' motion will be  
 10 due on February 1, 2013, and Plaintiff's reply brief will be due on February 8, 2013.

11 Dated: January 22, 2013

HADDAD & SHERWIN

12  
 13 /s/ Gina Altomare

14 GINA ALTOMARE

15 Attorneys for Plaintiffs JULIAN SERRATO and  
 16 ISRAEL SERRATO through their Next Friend,  
 LISA MAGDALENO

17 Dated: January 22, 2013

THE LAW OFFICES OF JOHN L. BURRIS

18  
 19 /s/ Benjamin Nisenbaum\*

20 BENJAMIN NISENBAUM

21 Attorneys for Plaintiffs I.S. and D.B. through  
 22 their Guardian Ad Litem EVELYN BELTRAN

23 Dated: January 22, 2013

FERGUSON, PRAET & SHERMAN

24 /s/ Bruce D. Praet\*

25 BRUCE D. PRAET

26 Attorneys for Defendants

27 \* Mr. Nisenbaum and Mr. Praet provided their consent that this document be electronically filed.

**ORDER**

Pursuant to the stipulation of all parties to this action, this Court hereby continues the hearing on Plaintiffs' Motion for Partial Summary Judgment to February 22, 2013, at 9:00 a.m. Further, this Court hereby adopts the above-stipulated briefing deadlines. Defendants' response in opposition to Plaintiffs' motion shall be filed no later than February 1, 2013, and Plaintiff's reply brief shall be filed no later than February 8, 2013.

IT IS SO ORDERED.

~~FEJH~~

DATED

  
UNITED STATES DISTRICT JUDGE  
RONALD M. WHYTE